## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

SHERMAN HENDERSON	)
	)
V.	) NO. 3:04-0043
	) JUDGE CAMPBELL
PHIL BREDESEN, et al.	)

## **ORDER**

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 142), dated August 9, 2005, and Plaintiff's Objections thereto (Docket Nos. 145 - 149). The Court has reviewed the Magistrate Judge's findings, the Plaintiff's Objections and the record.

The Objections of the Plaintiff are overruled, and the Magistrate Judge's Report and Recommendation (Docket No. 142) is ADOPTED and APPROVED. Accordingly, Plaintiff's Motion for Summary Judgment (Docket No. 106) is DENIED, and Defendants' Motion for Summary Judgment (Docket No. 125) is GRANTED. All other pending Motions are DENIED as moot. The Clerk is directed to close this file.

Any appeal of this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3). Therefore, the Plaintiff is not certified to pursue an appeal in forma pauperis. <u>Id</u>.

IT IS SO ORDERED.

TODD J. CAMPBELL

UNITED STATES DISTRICT JUDGE